

PATENT COOPERATION TREATY

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From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To: ROBERT WILLIAM STROZIER P.O. BOX 429 BELLAIRE, TEXAS 77402-0429
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PCT

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NOTIFICATION OF RECEIPT
OF DEMAND BY COMPETENT INTERNATIONAL
PRELIMINARY EXAMINING AUTHORITY

(PCT Rules 59.3(e) and 61.1(b), first sentence
and Administrative Instructions, Section 601(a))

Date of mailing (day/month/year)	12 Oct 2005
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Applicant's or agent's file reference <div style="text-align: center;">96605/28PCT</div>		IMPORTANT NOTIFICATION	
International application No. <div style="text-align: center;">PCT/US2005/010528</div>	International filing date (day/month/year) <div style="text-align: center;">29 Mar 2005</div>	Priority date (day/month/year) <div style="text-align: center;">29 Mar 2004</div>	
Applicant THE UNIVERSITY OF HOUSTON SYSTEM			

1.	The applicant is hereby notified that this International Preliminary Examining Authority considers the following date as the date of receipt of the demand for international preliminary examination of the international application: <div style="text-align: center;">15 Sep 2005</div>
2.	That date of receipt is: <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> the actual date of receipt of the demand by this Authority (Rule 61.1(b)). <input type="checkbox"/> the actual date of receipt of the demand on behalf of this Authority (Rule 59.3(e)). <input type="checkbox"/> the date on which this Authority has, in response to the invitation to correct defects in the demand (Form PCT/IPEA/404), received the required corrections. </div>
3.	<input type="checkbox"/> ATTENTION: That date of receipt is after the expiration of 19 months from the priority date. Consequently, in respect of some Offices, the demand does not have the effect of postponing the entry into the national phase until 30 months from the priority date (or later in some Offices) (Article 39(1)) and the acts for entry into the national phase must therefore be performed within 20 months from the priority date (or later in some Offices). However , in respect of some other Offices, the time limit of 30 months (or later) may nevertheless apply. See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the <i>PCT Applicant's Guide</i> , Volume II, National Chapters and the WIPO Internet site. <input type="checkbox"/> (If applicable) This notification confirms the information given by telephone, facsimile transmission or in person on:
4.	Only where paragraph 3 applies, a copy of this notification has been sent to the International Bureau.

Name and mailing address of the IPEA/ Mail Stop PCT, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 Facsimile No. 703-305-3230	Authorized officer Larry Hammond Telephone No. 703-308-9290 EX 101
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INTERNATIONAL SEARCH REPORT

International Application No.

PCT/US2005/010528

A. CLASSIFICATION OF SUBJECT MATTER A61K9/00 A61K41/00 B01J13/02 B22F1/00 B22F1/02 G01N21/55 B41J2/01		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) A61K G01N Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal, PAJ, WPI Data, EMBASE, BIOSIS		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01/35081 A (THE PENN STATE RESEARCH FOUNDATION; NATAN, MICHAEL, J) 17 May 2001 (2001-05-17) the whole document page 9, lines 7-15 page 23, lines 6-20 claims; examples -----	1,4-10, 16-23, 27,30
X	US 2002/187347 A1 (HALAS NANCY J ET AL) 12 December 2002 (2002-12-12) the whole document figures 1-3 examples claims 1-3,7,8,16,17 paragraphs '0012! - '0016! ----- -/--	1,4-10, 16-23, 27,30
<input checked="" type="checkbox"/> Further documents are listed in the continuation of box C. <input checked="" type="checkbox"/> Patent family members are listed in annex.		
* Special categories of cited documents: *A* document defining the general state of the art which is not considered to be of particular relevance *E* earlier document but published on or after the international filing date *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) *O* document referring to an oral disclosure, use, exhibition or other means *P* document published prior to the international filing date but later than the priority date claimed *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. *G* document member of the same patent family		
Date of the actual completion of the international search 14 September 2005		Date of mailing of the international search report 12 01. 2006
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016		Authorized officer Luangkhot, N

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2005/010528

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

Although claim 30 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:

see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

1, 4-10, 16-23, 27, 30

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.1

Although claim 30 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

Continuation of Box II.1

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.